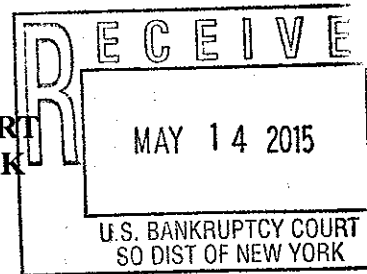


**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**



In re:)

RESIDENTIAL CAPITAL, LLC, ET AL.)

Debtors.)
_____)

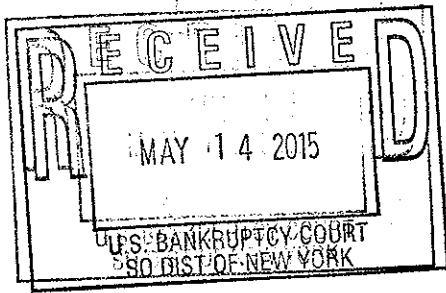
Case No. 12-12020 (MG)

Chapter 11

Jointly Administered

**STATEMENT OF ISSUES AND DESIGNATION OF RECORD ON APPEAL
OF ORDER SUSTAINING TRUST'S OBJECTION TO CLAIM 3728**

In accordance with Rule 8006, I submit the following statement of issues and designation of record to be included in appeal to the United States District Court for the Southern District of New York.



**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

RESIDENTIAL CAPITAL, LLC, ET AL.

Debtors.

Case No. 12-12020 (MG)

Chapter 11

Jointly Administered

**STATEMENT OF ISSUES AND DESIGNATION OF RECORD ON APPEAL OF
KENNETH C THOMAS OF ORDERS FROM THE BANKRUPTCY COURT**

- I. Whether the bankruptcy court erred in granting Thirty-Sixth Omnibus Order as it relates to Claim 3728. Fannie Mae-owned mortgage was transferred from originator to GMAC Bank ("Ally") and directly thereafter recorded with MERS where it remained until February 6, 2012 at which time it was assigned by MERS to GMAC Mortgage little more than two weeks before filing foreclosure proceedings on February 22, 2012.
- II. Whether the bankruptcy court erred in granting Order Sustaining Trust's Objection (Docket 8135) as it relates to Claim 3728. In said Order, information was revealed that clearly, and without question, points to the false and illegal service affidavits used to file foreclosure documents according to local Rule 7.3 of the Circuit Court of Cook County. The Complaint to Foreclose Mortgage is suspect too as evidenced by three very different signatures of Robert Spickerman (Exhibit A).
- III. Whether the bankruptcy court erred in denying Motion to Reconsider Trust's Objection (Docket 8250) as it relates to Claim 3728. A referral to public records was offered to refute the Trust's allegations in defense of the false affidavits. Public records alone would have revealed one of the lies in the servicer affidavit as it pertains to ownership.

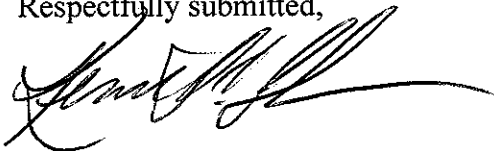
DESIGNATION OF RECORD

Docket No.	Document Title
5138	Notice of Debtors' Thirty-Sixth Omnibus Objection to Claims (Misclassified and Wrong Debtor Borrower Claims)
5495	Response to Notice of Debtors' Thirty-Sixth Omnibus Objection to Claims (Misclassified and Wrong Debtor Borrower Claims)
6205	Supplemental Order Granting Debtors' Thirty-Sixth Omnibus Objection to Claims (Misclassified and Wrong Debtor Borrower Claims) with Respect to Claim No. 3728 of Kenneth C. Thomas
7736	Rescap Borrower Claims Trust's Seventy-Sixth Omnibus Objection to Claims (No Liability Borrower Claims) - Thomas Excerpt
7862	Notice of Opposition to Rescap Borrower Claims Trust's Seventy-Sixth Omnibus Objection to Claims (No Liability Borrower Claims) - Exhibits O and P (Exhibit P includes additional signature samples of Robert Spickerman)
7967	Rescap Borrowers Claim Trust's Omnibus Reply in Support of Its Seventy-Sixth Omnibus Objection to Claims (No Liability Borrower Claims)
8135	Order Sustaining The Rescap Borrower Claims Trust's Objection to Claim Number 3728 filed by Kenneth C. Thomas
8250	Motion to Stay and Reconsider Rescap Borrower Claims Trust's Docket 8135 – Order Sustaining Objection to Claim Number 3728 filed by Kenneth C. Thomas (filed March 5, 2015)
8463	Notice of Appeal to Rescap Borrower Claims Trust's Docket 8135 – Order Sustaining Objection to Claim Number 3728 filed by Kenneth C. Thomas (filed February 26, 2015)
8514	Order Denying Motion of Kenneth C. Thomas for Reconsideration
8578	Notice of Appeal filed by Kenneth C. Thomas
8579	Motion for Leave to Appeal filed by Kenneth C. Thomas

I am prepared to testify in a court of law. I am entitled to relief under FRCP 60(b).

In the Trust's objections to my claim, statements were made that are not true and a reference made to Illinois law that was ignored by servicer who knowingly submitted false affidavits. The foreclosure filing was quickly done with illegal documents.

Respectfully submitted,



KENNETH C. THOMAS
Claimant

Dated: May 12, 2015

Exhibit B

Service List

The Honorable Martin Glenn
United States Bankruptcy Court
for Southern District of New York
Alexander Hamilton Custom House
One Bowling Green
New York, NY 10004-1408

Office of the United States Trustee
for the Southern District of New York
Attn: Linda A. Rifkin
Brian S. Masumoto
US Federal Office Building
201 Varick Street, Suite 1006
New York, NY 10014

Jordan A. Wishnew
Morrison & Foerster LLP
250 West 55th Street
New York, NY 10019-9601